

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

CESIUMASTRO,	§	
Plaintiff,	§	
	§	
v.	§	
	§	No. 1:24-cv-314
ERIK LUTHER and	§	
ANYSIGNAL, INC.,	§	
Defendants.	§	
	§	

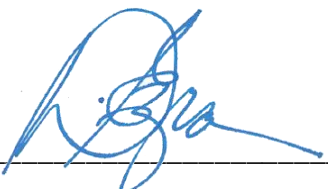
ORDER

Before the Court is Defendant Erik Luther's ("Luther") Omnibus Emergency Motion for Hearing, Motion to Stay, and Motion for Rule 11 Sanctions ("Motion"), filed on March 29, 2024. (Dkt. # 10.) Plaintiff did not respond to the Motion. The only other pending motion before the Court is a Motion to Dismiss, filed by Defendant AnySignal, Inc. ("AnySignal") on July 1, 2024. (Dkt. # 49.) The case was transferred to the undersigned on August 9, 2024. (Dkt. # 58.)

Given the time elapsed since the "emergency" Motion's filing, the lack of response by Plaintiff to the motion, and the recent reassignment of this case, the Court **DENIES WITHOUT PREJUDICE** Luther's Motion. (Dkt. # 10.) Luther may amend the motion in light of these circumstances and refile.

**IT IS SO ORDERED.**

Signed: August 16, 2024.

  
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David Alan Ezra  
Senior United States District Judge